

## **REMARKS/ARGUMENTS**

### **AMENDMENT TO THE SPECIFICATION**

Applicant's undersigned attorney is herewith updating the respective and related application serial number to the related applications that were contemporaneously-filed on January 22, 2004.

Claims 1-60 are pending. Claims 1-48 are currently amended, while claims 49-60 are new and supported at least by page 12, line 21-page 13-line 2.

### **CLAIM OBJECTIONS**

Each of the informalities raised by the Examiner has been addressed in the Amendments above.

### **CLAIM REJECTIONS UNDER 35 USC 112, SECOND PARAGRAPH**

Each of the items raised by the Examiner has been addressed in the Amendments as suggested by the Examiner, and thus the rejection is overcome.

### **CLAIM REJECTIONS UNDER 35 USC 101**

The claims have been amended and now recite statutory subject matter. Specifically, each of claims 1, 17 and 34 now recites "one or more processor-readable media having stored thereon processor-readable code including a database of face print image data corresponding to detected face regions within images acquired with an image acquisition device and digitally-stored, wherein the face print image data are stored within the media for access by a processor." The rejection is thus overcome.

### CLAIM REJECTIONS UNDER 35 USC 102

Claims 1-13, 15-17, 22-43 and 45-48 are rejected under 35 USC 102(b) as being anticipated by US patent no. 6,418,235 to Morimoto et al. This rejection is traversed at least with respect to claims 1-13, 15-17 and 22-33. However, each of the claims has been amended for clarity, and as amended, each is now allowable over Morimoto et al. for the reasons that follow.

Claim 1, as now amended, recites “a face recognition data component, comprising for an individual known identity ... (iii) one or more face class tables corresponding to one or more face class entries of the one or more identity tables, wherein each face class table comprises one or more face print image entries corresponding to faceprints determined from ***normalized face regions*** identified within the acquired digital image, and (d) ***wherein the normalized face regions comprise spatially normalized face regions, which are normalized with respect to size, orientation or pose, or luminance normalized face regions, or combinations thereof (emphasis added).***” Morimoto et al. do not disclose this feature of Applicants' invention.

The Examiner indicated that Morimoto et al. disclose to normalize face regions at “column 3, line 3, line 48-50”, however those column and line numbers clearly do not teach this feature. The Examiner also states “the table of Figure 3 comprises identity characteristics normalized face regions identified within the acquired digital image”. However, the table of Figure 3 does not teach, indicate or suggest the normalization of any face regions nor of the face data and attribute data illustrated there. The Examiner further states with reference to Figure 2 that the image processing unit 26 normalizes the face region. However, only a block is provided as “image processing device 26” at Figure 2, and column 3, lines 39-42 are the only text descriptions of this image processing device 26. There, Morimoto et al. state that “image processing device 26 processes the picture

image taken by the camera 13 to make image data which can be collated for application to the CPU 20.” This text description neither teaches nor suggests, nor does it in any way imply, that the image processing device normalizes any face regions.

Morimoto et al. teaches to extract physical attributes of detected faces, such as contour and area of the face, the distance between the eyes, etc. By using the distance separating the eyes and area of the face region as face classifiers, it is clear that Morimoto et al. could not use size normalization, at least not prior to extraction of these parameters, because then Morimoto’s results would be distorted by the normalization.

For these reasons, Claim 1 is allowable over Morimoto et al., as are claims 17 and 34. Claims 2-13 and 15-16 are allowable as being dependent upon claim 1. Claims 22-33 are allowable as being dependent upon claim 17. Claims 35-43 and 45-48 are allowable as being dependent upon claim 34.

#### CLAIM REJECTIONS UNDER 35 USC 103

Claims 14 and 44 are rejected under 35 USC 103(a) as being unpatentable over Morimoto et al. in view of US patent 7,092,55 to Lee et al. This rejection is traversed at least with respect to claim 14. However, claims 14 and 44 are allowable as being dependent respectively from claims 1 and 34, as amended, for the reasons provided above regarding the distinctions between claims 1 and 34 and Morimoto et al., and because Lee et al. also does not teach or suggest Applicants’ invention as set forth at claim 1 or claim 34.

Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Morimoto et al. in view of US published patent application 2003/0156202 to Van Zee. This rejection is traversed. However, claim 18 is allowable as being dependent from

claim 17 for the reasons provided above regarding the distinctions between claim 17 and Morimoto et al., and because Van Zee also does not teach or suggest Applicants' invention as set forth at claim 17.

Claim 19 is rejected under 35 USC 103(a) as being unpatentable over Morimoto et al. in view of US published patent application 2003/0122839 to Matraszek et al. This rejection is traversed. However, claim 19 is allowable as being dependent from claim 17, as amended, for the reasons provided above regarding the distinctions between claim 17 and Morimoto et al., and because Matraszek et al. also do not teach or suggest Applicants' invention as set forth at claim 17.

Claim 20-21 are rejected under 35 USC 103(a) as being unpatentable over Morimoto et al. in view of US patent 6,400,470 to Takaragi et al. This rejection is traversed. However, claims 20 and 21 are allowable as being dependent from claim 17, as amended, for the reasons provided above regarding the distinctions between claim 17 and Morimoto et al., and because Takaragi et al. also do not teach or suggest Applicants' invention as set forth at claim 17.

#### NEW CLAIMS

New claims 49, 52-53 and 58 are allowable as being based upon amended claim 1 for the reasons set forth above, and also because neither Morimoto et al. nor the other relied upon references teaches or suggests the features that are now specifically recited in these dependent claims.

New claims 50, 54-55 and 59 are allowable as being based upon amended claim 17 for the reasons set forth above, and also because neither Morimoto et al. nor the other relied upon references teaches or suggests the features that are now specifically recited in these dependent claims.

New claims 51, 56-57 and 60 are allowable as being based upon amended claim 34 for the reasons set forth above, and also because neither Morimoto et al. nor the other relied upon references teaches or suggests the features that are now specifically recited in these dependent claims.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-2019. A duplicate page is enclosed.

Respectfully submitted,

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New claims 51, 56-57 and 60 are allowable as being based upon amended claim 34 for the reasons set forth above, and also because neither Morimoto et al. nor the other relied upon references teaches or suggests the features that are now specifically recited in these dependent claims.

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